

1901-026  
Lee Co.

Chancery Causes: A. M. Brawn vs. Elbert Garrett  
A. L. Pridemore vs. Joseph Garrett &

CH-Debt  
T-Property



To the Hon. W. T. Miller Judge  
of the Circuit Court of Lee  
County Virginia:

Your orator A. M. Brown  
who humbly complaining  
would respectfully repre-  
sent that heretofore, he sold  
to Albert Garrett, a small  
tract or parcel of land  
situate about one and one half  
miles from Jonesville in  
Lee County Virginia for the  
price of \$ , all of which  
has been paid except the  
last note, which was for  
the sum of \$125.<sup>00</sup> due and  
payable for the sum of above  
specified with interest from  
its date, but payable in twelve  
months therefrom, and dated  
April 25<sup>th</sup>, 1892, subject however  
to a credit paid Apr. 25. 1892, of  
~~\$25.<sup>00</sup>~~ and \$10.<sup>00</sup> paid Oct 1892

The residue of said sum  
is wholly unpaid and  
due your orator. Your orator  
has never made conveyance  
of the land so sold but his



retained the legal title as security for the purchase money aforesaid, and he is advised he has a lien thereon for the same.

To enforce which said lien and have said land or so much thereof as may be necessary sold as will pay the same is the object of this suit.

For a more particular description of said land your cruter files herewith a deed of Conveyance for the same as an escrow to be delivered when the said sum above demanded shall be fully paid. And your cruter would file said bond, but he placed in the hands of A. L. Pickens for Collection, and he is informed it has been lost or misplaced so that the same cannot now be found, but he files a copy of said Atty. Receipt for the Collection of the same.

Your cruter therefore prays



that said Albert Garrett be made  
a party defendant to this Bill  
and that he answer the same  
but he need not do so upon oath  
that being waived. And on a  
hearing that a decree be rendered  
for said sum, and said land  
or so much thereof as may be  
necessary he sold as well  
pay the sums herein found due  
your order. And when so paid  
that said debt be delivered to  
the said Garrett. And for all  
other further and general relief  
May your Honor see.

A. L. Pridemore

P. J.



Plffs Costs

6.99

Tax 1.50

Shff 1.00

atly 15.00

Estimated 5.00

\$29.49

Clerk 8.87

Tax 1.50

Shff 1.00

atly 15.00

\$26.37

A. M. Brown

vs Bill Chy.

Elbert Garrett

Dues & Receipts filed.

1895: 2<sup>nd</sup> Feby Rules bill filed

Spa executed & D. N.

" 1<sup>st</sup> March Rules taken

the last Monday in Feby

D. N. confd. & came out for

hearing by Plff.



To the Hon. H. S. K. Morison  
Judge of the Circuit Court of  
Lee County Va.

Your orator A. L. Pridemore  
Humbly Complaining, would  
respectfully represent, that on  
the 8<sup>th</sup> day of August 1885, he sold  
to Joseph and Elbert Garrett, a  
small tract of land containing 43  
or 44 acres, known as the Lancelot  
Irvin piece of land, situated in  
this County about one mile north  
from Jonesville, and put them  
in the possession of the same, and  
they still have the same. For this land  
they executed their four bonds, falling  
due annually, each for the sum  
of \$106.25, and each bore interest  
from the date thereof. Two of  
which being now due, are herewith  
filed marks 1, 2 —, and which are  
prayed to be considered hereafter  
as part hereof.

On these bonds there has been the  
following payments, orders on  
Mo 1, 1886, Jan 1 by balance on settle-  
ment; of other matters, \$33.00  
1886, Sept 24 by note ... 100.00  
The residue of said bonds are



are now due and owing your  
orator, except the last which will  
fall due Aug. 9<sup>th</sup> 1888. Your orator  
has good title to said land, and is  
willing at any moment to make  
said defendant, a good deed  
therefor when fully paid. But  
he has withheld the same as  
security for the purchase money  
due thereon.

He is advised that he has a lien  
for the said balance now due  
upon said land, and that said  
lien will be enforced in a  
Court of equity.

To enforce said lien, and sell  
said land, or so much thereof  
as may be necessary to pay  
the same is the object of this  
bill.

His prayer therefore is that Joseph  
Garrett and Elbert Garrett be made  
parties defendant, to this bill  
and answer its allegations upon  
oath and upon a hearing your  
orators lien upon said land  
be enforced and so much thereof  
as may be necessary, be sold and



the said over due bond, paid to  
your orator. And for all other  
further and general relief may  
supra issue &c.

A. L. Pickman

p. 2.



A. L. Pickens

of Phil. Ch.

Joseph Garrett



5  
6  
7  
8 A. M. Brown

9 against

10 Elbert Garrett

11 On Motion of the Plaintiff  
12 in this cause this cause is  
13 stricken from the docket.  
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Entered on ledger  
order Book No 6  
Page 484.

1111



1 A. L. Predmore

2 against

3 Elbert Garrett et al,

4 On motion ~~of~~ of plaintiff by  
5 attorney, this cause is stricken  
6 from the docket.  
7  
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A. L. Pridmore

27/ ~~December~~ <sup>30</sup> <sup>31</sup> <sup>30</sup> <sup>29</sup> <sup>28</sup> <sup>27</sup> <sup>26</sup> <sup>25</sup> <sup>24</sup> <sup>23</sup> <sup>22</sup> <sup>21</sup> <sup>20</sup>

Elbert Garrett etc

Entered on ledger  
order Book No 6  
Page 484

Enter this

Hawthorn  
Nov 4- 1901-



A. M. Brown      Plff  
                                against  
Elbert Tarett      Defd      } Du chig-  
                                41

This cause came on this day to be heard upon the Bill of Plaintiff & exhibit-its filed therewith and was argued by Counsel. On consideration of all which and it appearing that the ~~Def~~, Elbert Garrett, is properly before the Court by service of process for more than 15 days before the regular calling of this cause & said Def<sup>t</sup> having failed to appear & plead, answer, demur or otherwise make defense, upon motion of the Plaintiff by Counsel his Bill is taken for confessed.

It is adjudged, ordered & decreed that  
H. M. Brown, plaintiff recover of  
Albert Garrett, Defendant, the sum  
of \$125<sup>00</sup> with legal interest thereon  
from April 25<sup>th</sup> 1892 till paid subject  
to a credit of \$15<sup>00</sup> paid April 20<sup>th</sup>  
1892 & \$10<sup>00</sup> paid Oct 1<sup>st</sup> 1892, & the  
cost of this suit & that said  
Judgement is a lien upon the land  
in the Bill mentioned.

It is further adjudged, ordered & decreed  
that unless said Garrett or some-  
one for him pay said sum with



its interest & the cost of this suit within  
30 days from the entering of this decree  
that then D. P. Sewell, who is hereby  
appointed a special comr. for the pur-  
pose, will, after advertising the time,  
terms & place of sale for at least 30  
days, by written & printed notices posted  
as he may think proper, proceed  
to sell the said land, at the front  
door of the Court house, at public out-  
cry, to the highest bidder on a  
credit of 6 & 12 mos, except a sum  
sufficient to pay the costs of this suit  
& commissions of sale, which sum he  
will require to be paid in hand.  
For the deferred payments he will take  
bonds payable to himself a comr. with  
good personal security. But before  
proceeding to act hereunder said  
Comr. will execute bond ~~before~~  
before the clerk of this Court  
in the penalty of \$250<sup>00</sup> - condi-  
tioned according to law. He  
will report his action ~~hereunder~~  
hereunder to a future term of  
this Court & this cause is  
continued.



A. M. Brown

vs } Deeds for sale

Albert Garrett

Feb 5. 1895.

O.B.

Page 163

Enter this

W. J. M.

Feb 9<sup>th</sup> 1895.





*\$106.25*

*August 8<sup>th</sup>*

1888

*Four years* after date, *we* promise to pay to  
*A - L Pridemore* ~~on order~~, *One hundred*

*and six 257/100* Dollars for value received, and *we* hereby waive, as to the  
debt, the exemption from liability of the property which *we* may be entitled to hold ex-  
empt under the provisions of the HOMESTEAD LAW. Witness *our hand and Seal*

*No 4*

*V. H. Kelly*

*Joseph H. Garrett* (S. S.)  
*Elbert H. Garrett* (S. S.)  
*may*



On full settlement  
of the time after notes  
and after all credits  
there is still due on  
this note of this  
date \$141.<sup>00</sup> Paid to  
John T. Hays  
Pinebluff. April 22  
1897. J. L. Pinebluff



# BROWN'S NEW HOTEL,



A. M. BROWN PROPRIETOR.

COR. MAIN AND CHURCH STREETS.

Jonesville, Va. 189

Receipt of A. M. Brown one  
note executed by Albert Garrett  
to said Brown under seal  
due after 12 mos. with int  
from date & dated Apr 25-1892  
for \$125 - Waiving interest on  
which there are the following  
Credits: A. L. Pridemore

Apr. 25-1892.

\$15-00

Oct 11 " "

10. 50

A. L. P.

THE PROPERTY OF  
A. L. PRIDEMORE  
1892  
RETURN

THE PROPERTY OF  
A. L. PRIDEMORE  
1892  
RETURN.



Garrett Bulley  
Bureau receipt  
for \$20 paid April  
16 1894 -



$$\begin{array}{r}
 1894-4 \quad 16 \\
 189210 \quad 1 \\
 \hline
 16.15 \\
 \hline
 12 \\
 18 \\
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 9
 \end{array}$$

Brown note -

Cross of date

\$125.00

15.00

110.00

Int to Oct 1892 - Says 5 mar.

2.75-

112.75-

10.50

102.25-

9.45-

102.25-

Cross of that day.

9.20 25

25-

$$\begin{array}{r}
 1500 \\
 25 \\
 \hline
 945
 \end{array}$$

Int to Apr. 16 1894

13 6m 15-D.

\$111.80

1897 4 16  
1894. 4 16

Cross of that day

20.80

91.80

16.52

3

36

18

91.80

18

734 40

918 0

165-2.40

\$108.32

Cost. 29.49

\$137.91

141.00

278.91

144

72

100

72.00

1897  
1885  
12



# The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

WE COMMAND YOU, That you summon

*Elbert Garrett*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said

Court on the *3rd* Monday in *February*, 189*5*, to answer a bill in Chancery,

exhibited against *him* in our said court by *A. M. Brown*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the

*20th* day of *January*, 189*5*, and in the 11*9th* year of the

Commonwealth.

*A. B. Munsey* Clerk.



A. M. Brown

VS. { SUPCENA  
IN CHANCERY.

Elbert Garrett

A. L. Pridemore p. q.

To 2<sup>nd</sup> February Rules,  
Circuit Court.

Executed Feb. 13. 1885  
by delivering an official  
copy of the within summe  
to the wife of Elbert  
Garrett at the dwelling house  
of Elbert Garrett and explaining  
to her its contents she being  
a member of the family of  
Elbert Garrett and over the age  
of sixteen years and the  
said Elbert Garrett being  
absent from his usual  
place of abode.

H. C. Flannery. S. L. C.